

**Council Chambers, Municipal Building, Baraboo, Wisconsin
Tuesday, December 22, 2020 – 7:00 p.m.**

Mayor Palm called the regular meeting of Council to order.

Roll call was taken.

Council Members Present: Wedekind, Kolb, Plautz, Kent, Petty, Ellington, Sloan, Kierzek, Thurow

Council Members Absent:

Others Present: Capt. Sinden, Clerk Zeman, Adm. Bradley, T. Pinion, P. Cannon, K. Stieve, M. Hardy, C. Haggard, members of the press and others.

The Pledge of Allegiance was given.

Moved by Petty, seconded by Kolb and carried to approve the minutes of December 8, 2020.

Moved by Kolb, seconded by Wedekind and carried to approve the agenda.

Compliance with the Open Meeting Law was noted.

PRESENTATIONS – None.

PUBLIC HEARINGS – None.

PUBLIC INVITED TO SPEAK - None.

MAYOR'S BUSINESS

- The Police & Fire Commission is appointed as follows:
 - Dennis Kluge, serving until 04/30/2021
 - Brian Getschmann, serving until 04/30/2022
 - Paul Kujak, serving until 04/30/2023
 - Robert Madalon, serving until 04/30/2024
 - Joseph Viney, serving until 04/30/2025
- The quickest and easiest way to see the COVID-19 data affecting Sauk County is by visiting this website: <https://coviddata-saukpublichealth.hub.arcgis.com/>

CONSENT AGENDA

Resolution No. 20-146

THAT the Accounts Payable, in the amount of \$ 1,137,259.99 as recommended for payment by the Finance/Personnel Committee, be allowed and ordered paid.

Resolution No. 20-147

To authorize the City Administrator to select subcommittee members for the recruitment of the City Attorney vacancy. Said committee will consist of the following:

City Administrator Casey Bradley;
Mayor Mike Palm;
Police Chief Mark Schauf;
Council President Joel Petty;
CDA Direct Pat Cannon;
City Clerk Brenda Zeman

Moved by Sloan, seconded by Petty and carried that the Consent Agenda be approved-9 ayes.

ORDINANCES ON 2ND READING

Moved by Petty, seconded by Kolb and carried unanimously to approve the 2nd reading of **Ordinance No. 2566** amending §18.08(16) of the Baraboo Municipal Code regarding trees in subdivisions

NEW BUSINESS - RESOLUTIONS**Resolution No. 20-148**

Resolved, by the Common Council of the City of Baraboo, Sauk County, Wisconsin:

That the City of Baraboo approve the 2021 Streetlight System Charge of \$29.28 for all single- and two-family dwellings and \$58.56 for all other properties, which totals \$148,799.39 for fiscal year 2021.

Moved by Petty, seconded by Kent and carried that **Resolution No. 20-48** be approved-9 ayes.

Resolution No. 20-149

Resolved, by the Common Council of the City of Baraboo, Sauk County, Wisconsin:

Therefore be it resolved that the Baraboo City Council authorizes the Baraboo Community Development Authority to submit a Revenue Based debt application to the Board of Commissioners of Public Lands for \$130,000.

Moved by Petty, seconded by Sloan and carried that **Resolution No. 20-149** be approved-9 ayes.

Resolution No. 20-150

Resolved, by the Common Council of the City of Baraboo, Sauk County, Wisconsin:

The Common Council hereby authorizes the City Administrator and the City Clerk to execute on behalf of the City the Development Agreement between the City of Baraboo and Rapid River Apartments, LLC, on behalf of the City.

Moved by Petty, seconded by Plautz and carried that **Resolution No. 20-150** be approved-9 ayes.

Resolution No. 20-151

Resolved, by the Common Council of the City of Baraboo, Sauk County, Wisconsin:

THAT the Fire Chief is authorized to expend COVID-19 Testing Revenue Funds, following City of Baraboo Purchasing Policy, for enhancing, replacing and providing consistency in training and fire/rescue response equipment.

Further, the City's Finance Department will record necessary budget amendments utilizing the revenue source from COVID-19 Testing Funds.

Moved by Sloan, seconded by Plautz and carried that **Resolution No. 20-151** be approved-9 ayes.

Resolution No. 20-152**Resolved, by the Common Council of the City of Baraboo, Sauk County, Wisconsin:**

That the City Administrator or his designee is directed to make the final arrangements with Driftless Glen Distillery to purchase the 2.1-acre vacant lot located on Lake Street ("Property") for a price of \$10,500 less the City's total expenses for the original sale and current purchase of this property.

That the City's Attorney is directed to draft all necessary legal documents for the purchase of the Property from Driftless Glen Distillery contingent upon the City's Attorney receiving direction from the City Administrator to do so.

Moved by Petty, seconded by Ellington and carried that **Resolution No. 20-152** be approved-9 ayes.

ADMINISTRATOR AND COUNCIL COMMENTS

Ald. Petty welcomed Adm. Casey Bradley.

Mayor Palm wished everyone a Merry Christmas.

REPORTS, PETITIONS, AND CORRESPONDENCE

The City officially acknowledges receipt and distribution of the following:

- **Reports:** November 2020 – Fire Dept. Treasurer, Building Inspection
September 30, 2020 – Baraboo Transit Service Financials
- **Minutes from the Following Meetings:**

Finance/Personnel Committee–Dennis Thurow Committee Room, #205

December 8, 2020

Members Present: Petty, Kent

Absent: Sloan

Others Present: Mayor Palm, Adm. Geick, Clerk Zeman, M. Hardy

Call to Order –Ald. Petty called the meeting to order at 6:00p.m. noting compliance with the Open Meeting Law. Moved by Kent, seconded by Petty to approve the minutes of November 24, 2020 with a correction to the spelling of Ald. Petty's name in the adjournment. Motion carried unanimously. Moved by Kent, seconded by Petty to approve the agenda and carried unanimously.

Action Items

- a) **Accounts Payable** – Moved by Kent, seconded by Petty to recommend to Council for approval of the accounts payable for **\$681,632.79**. Motion carried unanimously.
- b) **Amendment to Municipal Code** – M. Hardy explained that in the past, the tree planting has been the responsibility of subdivisions. Because we are finding that the trees are not being planted correctly, M. Hardy is recommending that we change the code to charge a fee to the subdivision and we are responsible for planting, and removing if needed, any trees. The fees will be set based on the cost of the tree and will not include labor. Moved by Kent, seconded by Petty to recommend Common Council amending §18.08(16) of the Baraboo Municipal Code relating to tree planting in subdivisions. Motion carried unanimously.
- c) **Facility Use Agreement** – M. Hardy noted that we've never had a Facility Use Agreement with the school district. After discussing this with Atty. Truman, it was recommended that we pursue the 2020-2025 Facility Use Agreement with the Baraboo School District. Moved by Kent, seconded by Petty to recommend to Council for action. Motion carried unanimously.
- d) **Historical Society Agreement** – M. Hardy explained that a few years ago we entered into an agreement with the Wisconsin Historical Society for Van Zelts Island Park (Spirit Point). After reviewing different options, it was determined that the best location for connection of the River Walk is directly along the east side of the Circus World parking lot. The amendment to the agreement would allow us a 25-foot strip easement to connect our path from the bridge to the existing River Walk on Water Street. Moved by Kent, seconded by Petty to recommend the amendment to Council for action. Motion carried unanimously.
- e) **Pierce Park** – M. Hardy explained that with COVID, it is recommended that spectators not be allowed in the pavilion. At this time, they don't have the capability of livestreaming from the pavilion. Thunderbird Youth Hockey has already spoken with Charter Communications regarding underground utilities to the building. Because Charter and the Thunderbird Youth

Hockey will cover the entire cost of adding the underground cable connections, there is no cost to the City and this will not interfere with any future plans for the park. Moved by Kent, seconded by Petty to recommend to Common Council the approval of an easement for Charter Communications to provide underground cable connections at Pierce Park near the Hockey Pavilion. Motion carried unanimously.

- f) **City Employee COVID-19 Policy** – Adm. Geick noted that we have made a few small changes to the policy which includes removing the requirement that department heads contact the Sauk County Health Department. Moved by Kent, seconded by Petty to recommend to Council the approval of the updated COVID-19 Policy. Motion carried unanimously.
- g) **City Attorney Position** – The Committee reviewed the job description for the City Attorney position. Moved by Kent, seconded by Petty to recommend the job description to Council for approval. Motion carried unanimously.
- h) **Amendment to Municipal Code** - Adm. Geick explained that based on research and discussion with multiple attorneys, our elected Police & Fire Commission is illegal. Per State Statutes, the Police & Fire Commission should be appointed by the Mayor. The City has received multiple legal opinions recommending this change. The Committee is in agreement that this is not something that should be delayed and it's their recommendation to expedite this. Moved by Kent, seconded by Petty to recommend to Council amending §1.02(5) and 1.19 of the Baraboo Municipal Code, and removing the first Explanatory Note at the beginning of Chapter 4 of the Baraboo Municipal Code, to have Police and Fire Commissioners be appointed by Mayor for a term of five years and instead of being elected. Motion carried unanimously.
- i) **Annual Weights & Measures Assessments** – The Committee reviewed the 2020 Annual Weights & Measures assessments. Moved by Kent, seconded by Petty to recommend to Council for action. Motion carried unanimously.

Information Items – None.

Adjournment – Moved by Kent, seconded by Petty and carried to adjourn at 6:43pm.

- **Copies of these meeting minutes are on file in the Clerk's office:**
UW Campus.....10-15-2020 Ambulance.....10-28-2020
CDA.....11-03-2020
Library.....10-12-2020, 10-13-2020, 10-20-2020, 11-10-2020, 11-17-2020
- **Petitions & Correspondence Being Referred:** None.

ADJOURNMENT

Moved by Sloan, seconded by Petty, and carried on voice vote, that the meeting adjourn at 7:26pm.

Brenda Zeman, City Clerk